

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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	:	
UNITED STATES OF AMERICA	:	
	:	No. 18 CR 48
v.	:	
	:	
EDWARD BASES and JOHN PACILIO	:	Judge John Z. Lee
	:	
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**DEFENDANT EDWARD BASES' MOTION
TO DISMISS INDICTMENT**

Defendant Edward Bases, through his counsel Finn Dixon & Herling LLP and Salvatore Prescott & Porter, PLLC, respectfully moves to dismiss Counts One and Two of the indictment, and states as follows:

1. The government indicted defendant Edward Bases, charging him with conspiracy to commit wire fraud and commodities fraud (Count One), and with commodities fraud (Count Two). Docket No. 66.

2. Mr. Bases moves to dismiss Counts One and Two of the indictment, pursuant to Federal Rule of Criminal Procedure 12, because: (i) they do not state an offense as a matter of law, (ii) they violate fair-notice principles, and (iii) the time period alleged in Count Two violates the applicable statute of limitations.

3. Mr. Bases submits a memorandum of law supporting his motion and requests the opportunity for oral argument.

Dated: November 16, 2018

Respectfully submitted,

Finn Dixon & Herling LLP

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Counsel for Defendant Edward Bases

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2018, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will provide notice of the filing to counsel for the Plaintiff.

By: /s/ Julie B. Porter
Julie B. Porter